



March 30, 2021

VIA EMAIL

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Enforcement and Compliance Assurance Division (ECAD)
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**Re: Compliance Inspection Report
Hanover Foods Corporation Industrial Wastewater Treatment Plant
NPDES Permit No. PA0044741
Penn Township, York County**

Dear Ms. Pruzinsky:

On behalf of Hanover Foods Corporation ("HFC"), I am providing this response to the U.S. Environmental Protection Agency ("EPA") inspection report dated March 15, 2021, regarding the evaluation of HFC's facility at 1486 York Street, Hanover, PA 17331, from the onsite inspection that occurred on February 4, 2021 ("Report"). We appreciate the opportunity to provide information to clarify the Report and describe HFC's actions.

The following are comments to clarify the Report:

1. **Observation 1, Pages 6-10.** The Report lists "181 effluent limit exceedances from Outfall 001 between February 1, 2016 and January 31, 2021" and alleges that "the Facility was in a state of significant noncompliance (SNC) from January 1, 2018 through September 30, 2020, with additional violations noted for the period of October 1, 2020 through February 26, 2021." This suggests that all exceedances were unresolved and that there was a state of consistent noncompliance from 2016-present, which would not be an accurate description of the circumstances. For accuracy, this should be clarified in at least two respects:
 - a. First, many alleged effluent limit exceedances were already addressed by the Pennsylvania Department of Environmental Protection ("PADEP") with a Consent Order and Agreement dated August 20, 2013 ("2013 COA"), a First Amendment to the COA dated October 16, 2014 ("2014 COA Amendment"), and a COA dated January 3, 2017 ("2017 COA"). The 2017 COA, which incorporates the 2013 COA and 2014 COA Amendment, is enclosed at



Attachment A. In accordance with these COAs, HFC already paid stipulated penalties to PADEP to resolve effluent limit exceedances on a monthly basis pursuant to Paragraph 5 of the COAs. As the 2017 COA acknowledges at Paragraph M, “[HFC] has paid, and the [PADEP] has accepted, all required stipulated penalties to fully resolve past violations to date pursuant to the 2013 COA and 2014 COA Amendment.” PADEP later acknowledged that HFC paid stipulated penalties due under the 2017 COA by terminating the 2017 COA requirement for stipulated penalties per the email dated July 30, 2019, enclosed at **Attachment B**, pursuant to Paragraph 19, stating that HFC “maintained six (6) consecutive months of NPDES Permit final effluent limit compliance.”

- b. Second, while the Report states that there was a state of significant noncompliance (SNC) from January 1, 2018 through September 30, 2020, HFC was in permit compliance – and had zero effluent limit exceedances – during twelve months in 2018 and 2019 as reflected in the DMRs and PADEP’s correspondence at Attachment B.

2. **Observation 2, Pages 10-11.** The Report states that “it appears the Permittee did not submit eDMR data for December 2017 or December 2018.” But HFC did timely submit those DMRs when originally due, which are enclosed at **Attachment C**.
3. **Observation 5, Page 12.** The Report states that the “cooling water magmeter vault was completely flooded at the time of the inspection” and “water in the vault was steaming indicating a potential cooling water leak in the pipeline.” However, HFC thoroughly inspected the vault by pumping out the water during the week of February 8 and observing no water accumulation through the following week of February 15. HFC has not identified any evidence of a cooling water leak. Rather, HFC has determined that the pipe itself is hot and that any water coming into contact with the pipe, particularly groundwater or precipitation infiltration, also becomes hot.
4. **Observation 6, Page 13.** The Report states: “Design specifications for Digester #2 were requested following the inspection, but not provided by the Permittee.” HFC diligently responded to the inspector’s requests, including while Kumar Navile, HFC’s Manager - Environmental Affairs & Sustainability, was unexpectedly out beginning just after the inspection. In responding to the inspector’s requests by emails dated February 12 and March 5, HFC provided documents regarding the digester and contact time as requested and discussed during the inspection. HFC was not aware that “design specifications” were specifically requested or of any follow-up requests. In any event, HFC has provided Digester #2 design calculations at **Attachment D**. In addition, the Report states that “digester temperature data [was] only available for August 2020 through December 2020.” We have also enclosed at **Attachment E** the digester temperature data for June-July 2020 to cover the same period as the inspector requested for the bench sheets and



other data (these two months were inadvertently omitted because of changes to recordkeeping for temperature beginning in July 2020). If EPA requests additional information, please do not hesitate to contact us.

5. **Observation 9, Page 14.** As indicated in the Report, HFC has not had issues with fecal coliform exceedances. Nonetheless, HFC has taken several actions to improve the UV system's operation, including changing bulbs on March 5 and ballasts on March 19 and implementing daily inspections of the UV system alarms, including the bulb indicators.
6. **Observation 10, Page 14.** The Report states: "The Facility's slurry tank had brown stains streaking down the sides at the time of the inspection (refer to Appendix A, Photographs 12 and 13). Facility representatives stated they believed the stains were due to weathering and not an overflow or leak. The 500,000-gallon tank had a leak detection system but did not have secondary containment. The tank was located approximately 75 feet from an unnamed tributary to Oil Creek." This slurry tank identified in the Report is actually larger—approximately one million gallons. HFC regularly monitors the level of the slurry tank, which is also equipped with a leak detection system as noted in the Report and has not been triggered. HFC thoroughly inspects the tank annually. HFC is not aware of any leaks from the tank. The rusty streaks on the tank appear to originate from fasteners and the exterior coating of the tank.

For EPA's reference, HFC has also enclosed at Attachment F HFC's response dated February 26, 2021, to a prior PADEP Notice of Violation, which outlines actions taken by HFC, including since the February 5 inspection ("NOV Response"). Please note that, as explained in the NOV Response, HFC is in compliance with the Chesapeake Bay nutrient cap loads. When necessary, HFC has obtained nutrient credits from Penn Township (within the same Oil Creek watershed).

In addition to the actions described in the NOV Response, the following are actions of note that HFC has taken into March 2021:

- Completed filling geotubes from sludge dredging in Lagoon 1.
- Procured new single geotube of equal capacity to replace the two current geotubes to further improve sludge dredging.
- Repaired and installed surface aerator in Lagoon 1.
- Started flow to Penn Township out of Lagoon 1 (at approximately 600,000 GPD)
- Replaced all lamps in UV building.
- Replaced six UV ballasts.
- Daily inspection of UV system alarms, including the bulb indicators.



As indicated in the NOV Response to PADEP at Attachment F, we intend to continue to work with PADEP to address the issues identified, including with our engineer. In the meantime, please let us know if you have any questions or concerns.

Sincerely,

A handwritten signature in dark ink that reads 'David K. Still'. The signature is written in a cursive, flowing style.

David K. Still
Vice President - Canning Operations